

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN VALDETARRO

v.

DANIEL VOLLRATH, ET AL.

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CIVIL ACTION

No. 02-CV-2870

ORDER

AND NOW, this 24th day of December, 2002, upon consideration of the Defendants' Motion to Dismiss (Docket No. 4) and the plaintiff's response, it is **ORDERED** that the motion to dismiss is **GRANTED IN PART** and **DENIED IN PART**.

1. The motion to dismiss the claim for punitive damages is **GRANTED**.
2. The motion to dismiss the complaint against the defendants Sean Gargan and Tim Holt is **GRANTED**.
3. The motion to dismiss the complaint against the defendants Daniel Vollrath and Ken Clark is **DENIED**.

TIMOTHY J. SAVAGE, J.